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Attorneys for Plaintiff and Relator
MATTHEW ZUGSBERGER

UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO-OAKLAND DIVISION

UNITED STATES ex rel. MATTHEW
ZUGSBERGER and MATTHEW
ZUGSBERGER,

Plaintiffs,

-v-

T. L. PETERSON, INC., a California
corporation, *in personam*; GALINDO
CONSTRUCTION COMPANY, INC., a
California corporation, *in personam*; LISA M.
GALINDO, an individual, *in personam*; DON
RON GALINDO, an individual, *in personam*;
DOES 1-10, inclusive,

Defendants.

No. CV-17-2277 KAW

SECOND STIPULATION TO
CONTINUE CASE MANAGEMENT
CONFERENCE; ORDER
AS MODIFIED

1 Pursuant to Rules 6-1, 6-2, and 7-12 of the United States District Court for the Northern
2 District of California, Plaintiff and Relator Matthew Zugsberger (“Plaintiff”), Defendants Galindo
3 Construction Company, Inc., Lisa M. Galindo and Don Ron Galindo (“Galindo Defendants”) and
4 Defendant T.L. Peterson (“Peterson”) (collectively, “the Parties”) hereby stipulate, agree, and
5 request that the Case Management Conference (CMC) currently set for May 1, 2018 at 1:30 p.m. be
6 moved to May 8, 2018 at 1:30 p.m. or such subsequent time as the Court deems appropriate. The
7 reason for this stipulation is that plaintiff’s attorney Peter Prows has become unavailable to attend
8 the Case Management Conference on May 1, 2018, because he has been impaneled on a jury in
9 Alameda County Superior Court. Mr. Prows has been informed that the trial will continue beyond
10 May 1, 2018, but will end later that week, i.e., before May 8, 2018.

11 This is the second time the parties have stipulated to continue the CMC. Because this case
12 includes a qui tam claim for relief under the False Claims Act, it was initially filed under seal on
13 April 24, 2017. After the seal was lifted, the Court on January 3, 2018, filed an Order Setting Initial
14 Case Management Conference (Docket No. 13) which scheduled this CMC for April 3, 2018. On
15 March 13, 2018, the parties filed a stipulation to continue the CMC from April 3 to May 1, 2018,
16 (Docket No. 35), because plaintiff had filed a second amended complaint on March 9, 2018, (Docket
17 No. 33), adding 13 new claims for relief and several new allegations, and defendants wanted some
18 additional time to respond to the new claims and allegations.

19 Granting this stipulation and request for a one week continuance of the CMC will have no

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significant impact on the schedule for this case, especially as no trial date has yet been scheduled.

DATED: April 25, 2018

BRISCOE IVESTER & BASEL LLP

HIGHMAN & HIGHMAN
A PROFESSIONAL LAW ASSOCIATION

ANDERSON CAREY WILLIAMS
& NEIDZWSKI, PLLC

By/s/ Bruce J. Highman

Bruce J. Highman
Highman & Highman
Attorneys for Plaintiff

DATED: April 25, 2018

WEINTRAUB TOBIN CHEDIAK
COLEMAN GRODIN

By/s/ Lukas J. Clary

Lukas J. Clary
Attorneys for Defendants
Galindo Construction Company, Inc.,
Lisa M. Galindo and Don Ron Galindo

DATED: April 25, 2018

MURPHY AUSTIN ADAMS
SCHOENFELD LLP

By/s/ Lisa D. Nicolls

Lisa D. Nicolls
Attorneys for Defendant
T. L. Peterson, Inc.

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED. The Case Management Conference is continued to 5/8/18 at 1:30 p.m.

DATED: 4/27, 2018


Honorable Kandis A. Westmore
United States District Court Magistrate Judge